



Patent
Attorney's Docket No. 030681-346

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Young-sin Park et al.)	Group Art Unit: 1746
)	
Application No.: 10/041,621)	Examiner: JONATHAN CREPEAU
)	
Filed: January 10, 2002)	Confirmation No.: 5259
)	
For: ANODE THIN FILM FOR LITHIUM)	
SECONDARY BATTERY AND)	
PREPARATION METHOD)	
THEREOF)	

REPLY TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the final Office Action dated November 15, 2004 Applicants respectfully request reconsideration of the above-captioned application. The claims 1-13 are currently pending.

In Applicants' earlier Amendment of August 28, 2004, a certified translation of Applicants' priority Korean Patent Application Number 2001-52111 was deemed to be sufficient to remove JP 2001-256967 as prior art, thereby resulting in withdrawal of the rejections then pending.

In the most recent Office Action, the Office has rejected claims 1, 11 and 13 under 35 U.S.C. §103(a) as allegedly being unpatentable over JP 11-86854 in view of the *Kanematsu et al.* patent (U.S. Patent No. 6,602,354); a rejection of claims 1, 2 and 9-13 under 35 U.S.C. §103 as allegedly being unpatentable over the *Bito et al.* patent (U.S. Patent No. 6,265,111) in view of the *Kanematsu et al.* patent; and finally

a rejection of claims 3-8 under 35 U.S.C. §103 as allegedly being unpatentable over the *Bito et al.* patent in view of the *Kanematsu et al.* patent and in further view of JP 4-308081. These rejections are respectfully traversed.

It is apparent that all the rejections are based on the disclosure of the *Kanematsu et al.* patent. The *Kanematsu et al.* patent qualifies for prior art under 35 U.S.C. §102(e) against the present application. This reference has an effective date of prior art of May 23, 2001. The present application has a priority date based on Korean Patent Application 2001-52111 of August 28, 2001. The Patent Office has already awarded the Applicants the August 28, 2001 as the effective filing date of the present application.

Applicants now establish an earlier date of invention by showing at least that there was conception of the present invention prior to May 23, 2001 and diligence from before May 23, 2001 to the filing date of the Korean priority application. This is done by the enclosed Declaration by inventor under 37 C.F.R. §1.131, signed by Young-Sin Park. To it are attached a Invention Disclosure Form, in Korean, and its translation. It is believed that the undersigned is entitled to the date of the invention disclosure, which written April 9, 2001, over a month before the actual filing date of the *Kanematsu et al.* patent. It should be noted that this Invention Disclosure Form supports the pending claims. For instance, compare the draft claims appended thereto at page 16 of the translation to original claims 1 and 2 of the present application, for instance.

Having established an earlier date of invention and filed a Declaration which evidences diligence between the date of conception and the filing of the priority Korean application, Applicants respectfully request an indication that Applicants have provided sufficient evidence to remove the *Kanematsu et al.* patent as a reference.

In light of the foregoing and the enclosures, Applicants respectfully request reconsideration and allowance of the above-captioned application. Should any residual issues exist, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: February 15, 2005

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